

City of Clewiston  
Special Magistrate  
Regular Hearing  
June 22, 2011

The City of Clewiston Special Magistrate held its regular meeting in the city hall commission chambers, 115 West Ventura Avenue, Clewiston, Florida, on Wednesday, June 22, 2011. The meeting was called to order at 2:00 p.m. by Magistrate Watt.

Attendance

Magistrate present: James L. Watt

Personnel present: Pete Garcia, Marilyn McCorvey, Travis Reese, Debra Towner

Visitor(s) present: Maisar Omar Atalla, Johnny Harripaul, Randel Hatfield, Larry Robinson, Jose & Sonia Torres

Pledge of Allegiance.

Special Magistrate Watt briefly summarized the purpose of the hearing.

Approval of minutes from March 29, 2011: Let the record show an accurate reflection of the proceedings.

Swearing in of all parties intending to present testimony.

Additions/deletions to agenda: Mr. Reese stated that there are no changes.

Consent agenda: Mr. Reese stated that all cases are now in compliance with city codes. Let the record show all properties in compliance.

New business:

Case No. 11-0227: Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0227, for the property located at 726 Central Avenue, owner of record, Nuvia Mendez.

Mr. Reese stated the violation is a junk vehicle, sec. 34-84 and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property, as the owner was not present. The owner, Nuvia Mendez, had met with Mr. Garcia and stated that the junk vehicle has been removed. Code Officer Garcia agreed that the property is now in compliance.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0227 is in compliance and is dismissed.

Case No. 11-0239: Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0239, for the property located at 804 South Corona Street, owners of record, Jose & Sonia Torres.

Mr. Reese stated the violation is a dilapidated fence, sec. 102-129 (a) and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property with the owner, who was present. The owner, Jose Torres, stated that the fence has been fixed. Code Officer Garcia agreed that the property is now in compliance.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0239 is in compliance and is dismissed.

Case No. 11-0261: Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0261, for the property located at 344 West Trinidad Avenue, owner of record, BAC Home Loans Servicing LP.

Mr. Reese stated the violation is an illegally parked semi, sec. 102-39 and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property, as the owner was not present. Code Officer Garcia agreed that the property is now in compliance; however, will continue to monitor the property to see if the semi shows up again.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0261 is in compliance and is dismissed but wants entered in the record that this case appears to have the potential of continuing violation, and, as such, should be treated as a repeat violation.

Case No. 11-0270: Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0270, for the property located at 605 Sabal Avenue, owner of record, Randel Hatfield, Sr..

Mr. Reese stated the violation is lack of property maintenance, sec. 18-616 and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property with the owner, who was present. Mr. Garcia stated that some improvement has been made but that the property still requires clean up. The owner, Randel Hatfield, Sr. stated that the code officer never contacted him, that he flagged Mr. Garcia down. Code Officer Garcia stated that the property is not in compliance.

The City of Clewiston recommended allowing Mr. Hatfield an additional thirty (30) days to finish the clean up.

Mr. Watt ruled that case number 11-0270 will be continued until the next meeting. Mr. Garcia needs to meet at the property and put in writing what still needs to be addressed.

Case No. 11-0280: Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0280, for the property located at 523-529 West Haiti Avenue, owner of record, Larry Robinson.

Mr. Reese stated the violation is lack of landscape maintenance, sec. 18-640 and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property with the owner, who was present. Mr. Robinson stated that he no longer owns the property, that it was taken over by the bank last fall.

The City of Clewiston recommended Mr. Robinson produce documentation of the foreclosure and once that is received by the City of Clewiston, the city will contact the new owners of the property.

Mr. Watt ruled that case number 11-0280 is still in violation. The City of Clewiston will post the property, and if not mowed, will do so and place a lien against the property. He also suggested a title search to determine when the property went into foreclosure.

Case No. 11-0281: Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0281, for the property located at 720-722 Aztec Court, owner of record, Nuvia Mendez.

Mr. Reese stated the violation is lack of property maintenance, sec. 18-640 and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property, as the owner was not present. The owner, Nuvia Mendez, had met with Mr. Garcia and stated that the property has been mowed. Code Officer Garcia agreed that the property is now in compliance.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0281 is in compliance and is dismissed.

Fine Assessment:

Case No. 10-0120:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0120, for the property located at 215-217 Margaret Street, owner of record, Mary Jackson.

Mr. Reese stated that the property is still in violation and presented pictures which Code Officer Garcia verified are of the property as the owner was not present.

The City of Clewiston recommended a fine assessment be assigned to this property until the time it comes into compliance.

Mr. Watt ruled that case number 10-0120 would assess a one-time fee for the violation which has existed since August 4, 2010 until today, June 22, 2011 of \$150.00 and an administration fee of \$150.00. In addition, a \$25 per day fee will continue to accrue until the fence is in compliance.

Case No. 10-0196:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0196, for the property located at 611 East Sugarland Hwy., owner of record, Harold Robinson.

Mr. Reese stated that the property is still in violation and presented pictures which Code Officer Garcia verified are of the property as the owner was not present.

The City of Clewiston recommended a fine assessment be assigned to this property until the time it comes into compliance.

Mr. Watt ruled that case number 10-0196 would assess a one-time fee for the violation which has existed since September 16, 2010 until January 16, 2011 of \$150.00 and an administration fee of \$150.00. In addition, a \$25 per day fee from January 27, 2011 will continue to accrue until the property is in compliance.

Case No. 10-0222:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0222, for the property located at 401 East Sugarland Hwy., owner of record, Lawrence R. Gamer.

Mr. Reese stated that the property is still in violation and presented pictures which Code Officer Garcia verified are of the property as the owner was not present.

The City of Clewiston recommended a fine assessment be assigned to this property until the time it comes into compliance.

Mr. Watt ruled that case number 10-0222 would assess a one-time fee for the violation which has existed since December 14, 2010 until today, June 22, 2011 of \$150.00 and an administration fee of \$150.00. In addition, a \$25 per day fee from March 29, 2011 will continue to accrue until the property is in compliance.

Case No. 11-0249:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0249, for the property located at 1020 South WC Owen Avenue, owner of record, Atalla's Quick Stop LLC.

Mr. Reese stated that the property is still in violation and presented pictures which Code Officer Garcia verified are of the property with the owner.

The City of Clewiston recommended a fine assessment be assigned to this property until the time it comes into compliance.

Mr. Watt ruled that case number 11-0249 would assess a one-time fee for the violation which has existed since February 15, 2011 until April 29, 2011 of \$150.00 and an administration fee of \$150.00. In addition, a \$25 per day fee from April 29, 2011 will continue to accrue until the property is in compliance. Mr. Watt further stated that because they are trying to comply, he will suspend the fees at this time and will review the case again at the next meeting.

Case No. 11-0255:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0255, for the property located at 1030 South WC Owen Avenue, owner of record, Atalla's Quick Stop LLC.

Mr. Reese stated that the property is still in violation and presented pictures which Code Officer Garcia verified are of the property with the owner.

The City of Clewiston recommended a fine assessment be assigned to this property until the time it comes into compliance.

Mr. Watt ruled that case number 11-0255 would assess a one-time fee for the violation which has existed since February 15, 2011 until April 29, 2011 of \$150.00 and an administration fee of \$150.00. In addition, a \$25 per day fee from March 29, 2011 will continue to accrue until the property is in compliance.

Other Business:

Case No. 10-0002:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0002, for the property located at 621 East Sugarland Hwy., owner of record, Motel Plaza LLC.

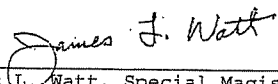
The owner has requested a reduction in a lien totaling \$3,275.00 against his property.

Mr. Watt ruled that case number 10-0002 has been granted a reduction of lien in the amount of \$850.00 plus admin fees of \$150.00 totaling \$1,000.00 to be paid to the City of Clewiston with thirty (30) days or the amount would revert back to the original amount of \$3,275.00.

Magistrate Watt closed the public hearing after receiving no further comments, written or oral, from the audience or the board.

Adjournment:

The meeting adjourned at 2:47 p.m.

  
James L. Watt, Special Magistrate